

REMARKS

Claims 1-19 are pending and are under consideration. Claims 1, 2, 13, 14 and 19 have been rejected. Claims 3-12 and 15-18 have been allowed. Applicant thanks the Examiner for allowing claims 3-12 and 15-18.

Double Patenting Claim Rejections

Claim 1 was provisionally rejected based on the judicially-created ground of non-statutory obviousness-type double patenting as being unpatentable over claim 18 of then-copending Application No. 09/127,223, now Patent No. 6,381,238, which issued on April 30, 2002. Claim 2 was provisionally rejected based on the judicially-created ground of non-statutory obviousness-type double patenting as being unpatentable over claim 16 of then-copending Application No. 09/127,223, now Patent No. 6,381,238. Claims 13 and 14 were provisionally rejected based on the judicially-created ground of non-statutory obviousness-type double patenting as being unpatentable over claim 5 of then-copending Application No. 09/127,223, now Patent No. 6,381,238. The entire interest in U.S. Patent No. 6,381,238 is owned by the assignee of the entire interest of the instant application, namely Sonus Networks, Inc.

The Office Action states that claims 1, 2, 13, 14 and 19 would be allowable if a terminal disclaimer signed by the assignee complying with 37 C.F.R. 3.73(b) is filed. Applicant respectfully submits that the Office Action fails to indicate the basis for the rejection for claim 19. In the interest of expediting prosecution, Applicant submits herewith an executed copy of a Terminal Disclaimer in compliance with 37 C.F.R. §1.321(c) disclaiming over Application No. 09/127,223, now Patent No. 6,381,238. In view of the Terminal Disclaimer filed herewith, Applicant respectfully submits that these double-patenting rejections have been overcome, and Applicant respectfully requests withdrawal of this ground of rejection.

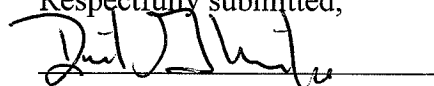
CONCLUSION

Applicant's discussion of particular positions of the Examiner does not constitute a concession with respect to any positions that are not expressly contested by the Applicant. Applicant's emphasis of particular reasons why the claims are patentable does not imply that there are not other sufficient reasons why the claims are patentable nor does it imply the claims were not allowable in their unamended form.

In view of the foregoing remarks and the inability of the prior art, alone or in combination to anticipate, suggest, or make obvious the subject matter as a whole of the invention disclosed and claimed in this application, all claims are submitted to be in a condition for allowance, and notice thereof is respectfully requested. If the Examiner believes that a telephone conversation with Applicant's attorney would expedite allowance of this application, the Examiner is cordially invited to call the undersigned.

Date: December 27, 2007
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